

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application or Patent of:
Shlomit BOTTOM-DASKAL et al.

Docket No. 6727/0H037

Serial or Patent No: 09/557,256

Filed: April 24, 2000

For: ANALYSIS OF NETWORK PERFORMANCE



VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS
SMALL BUSINESS CONCERN

I hereby declare that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: ATTUNE NETWORKS LTD.

ADDRESS OF CONCERN: P.O.Box 305 Yokneam Elit 20692, Israel

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons.

Definitions: For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled ANALYSIS OF NETWORK PERFORMANCE, by inventor(s) Shlomit BOTTOM-DASKAL et al. described in

- ☐ the specification filed herewith
☒ application Serial No. 09/557,256, filed April 24, 2000
☐ Patent No. , issued .

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no

rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entitled (37 C.F.R. 1.27)*

NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. §1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

✓ NAME OF PERSON SIGNING: AAARON BEN-NUN
✓ TITLE OF PERSON (IF OTHER THAN OWNER): CFO
✓ ADDRESS OF PERSON SIGNING: P.O. Box 305 Yehonatan Illit ISRAEL

✓ SIGNATURE: _____

DATE: Aug 31 2000

FORMALITIES LETTER



OC00000005205199

UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/557,256	04/24/2000	Shlomit Bottom-Daskal	6727/OH037

Darby & Darby PC
805 Third Avenue
New York, NY 10022

Date Mailed: 06/27/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$1590.
 - \$342 for 19 total claims over 20.
 - \$1248 for 16 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 2410.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

06/23/2001 AGOITON 00000031 09557256

 355.00 OP
 65.00 OP
 171.00 OP
 640.00 OP

 01 FC:201
 01 FC:205
 01 FC:203
 01 FC:202

CERTIFICATE OF MAILING

I hereby certify that this paper or, if this paper is a transmittal letter, every other paper or fee referred to therein, is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Commissioner of Patents & Trademarks, Washington, DC 20231, on

PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO OUR DEPOSIT ACCOUNT NO. 04-0100

January 23, 2001
(Date of Deposit)
Leck
Name
Date 01/23/01



Docket No.: 6727/OH037

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Shlomit BOTTON-DASCAL; Benny RACHLEVSKI-REICH;
Yair HAREL; Moshe SIDI; Israel CIDON

Serial No.: 09/557,256 Art Unit:

Filed: April 24, 2000 Examiner:

For: ANALYSIS OF NETWORK PERFORMANCE

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

COMPLETION OF PATENT APPLICATION

The following items are submitted herewith in completion of the above-identified patent application:

1. Declaration and power of attorney
2. Check in the amount of \$ 1271, (\$ 1166 filing; \$ 40 recording; \$ 65 late)
(See attached Fee Computation Sheet)
3. ☐ Formal drawings, sheets (Figs.)
☐ Informal drawings, sheets (Figs.)
4. ☒ Assignment for recording to: ATUNE NETWORKS LTD.

5. [X] Verified statement claiming small entity status.
PARTIAL REFUND of all fees paid within last 2 months is REQUESTED.
6. A copy of Notice to File Missing Parts of Application.

Priority is claimed for this application, corresponding application/s having been filed as follows:

Country:

Number:

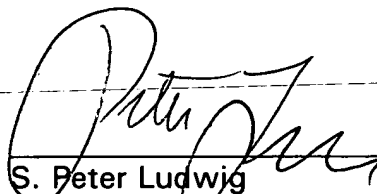
Date:

The priority documents ☐ are enclosed
☐ will follow.

The Patent Office is authorized to charge any deficiency up to \$300.00 in the above fees, and to credit any excess, to our Deposit Account No. 4-0100.

Respectfully submitted,

Dated: January 22, 2001


S. Peter Ludwig
Reg. No. 25,351
Attorney for Applicant(s)

DARBY & DARBY P.C.
805 Third Avenue
New York, NY 10022
212-527-7700

PATENT FEE COMPUTATION SHEET

	No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee				\$710.00
Total Claims	39 - 20	- 0 = 19	x \$18.00	\$342.00
Independent Claims	19 - 3	- 0 = 16	x \$80.00	\$1280.00
Multiple Dependent Claims		- if so, add	\$270.00	\$0.00
Surcharge for late submission of filing fee and/or declaration (\$130.00)				\$130.00
SUBTOTAL				\$2462.00
[X] Small Entity REDUCTION (Half of Subtotal)				\$1231.00
Fee for recordation of assignment (\$40.00)				\$40.00
Charge for filing non-English language application (\$130.00)				\$0.00
TOTAL				\$1271.00